IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

WP(C).No. 24640 of 2007(G)

PETITIONER:

R. RAJAN, S/O. RAMAN,
AGED 54 YEARS, VADAKKANAL PUTHANPURAYIL HOUSE,
VENNOOR VILLAGE, VENNOOR P.O., THALAPPILLY TALUK,
THRISSUR DISTRICT.

BY ADV. SRI.SHOBY K.FRANCIS

RESPONDENTS:

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1. ASSISTANT EXECUTIVE ENGINEER (AEE),
KERALA STATE ELECTRICITY BOARD (KSEB),
CHELAKKARA SUB SECTION, CHELAKKARA P.O.,THRISSUR.

2. SHEEJA MURALI @ SHEEJA, W/O. MURALI,
THONDAYIL HOUSE, VENNOOR VILLAGE, DESOM,
VENNOOR P.O., THRISSUR.

BY ADV. SHRI.P.P.THAJUDEEN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/08/2007, ALONG WITH COC NO. 1208 OF 2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 24640 of 2007

&

COC No. 1208 of 2007

Dated, this the 24th day of August, 2007

J U D G M E N T

The very same petitioner in the contempt case and in the writ petition, filed a writ petition earlier, which was disposed of vide Annexure A judgment produced in Contempt Case No. 1208/2007. I heard learned counsel for the petitioner and the learned Standing Counsel for KSEB. Learned counsel for the petitioner as well as learned Standing Counsel for the KSEB produced photographs of the location. It is clear from the photographs that the line is not drawn in violation of the judgment. There is an existing pathway passing near the house of the beneficiary and the line is drawn with weather proof cable over such pathway. I am unable to appreciate the grievance of the petitioner because the weather proof cable, which is an insulated and benign one, drawn very high above the ground level can no way affect the use of petitioner's property for any purpose. However, if petitioner wants, KSEB will estimate cost of drawing underground cable including labour and material costs and on depositing the same by the petitioner, there will be direction to the KSEB to draw underground cable beneath the pathway at the

cost of the petitioner.

These contempt case and writ petition are closed as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg